



OFFICE OF THE DISTRICT ATTORNEY
CRAWFORD COUNTY COURT HOUSE
MEADVILLE, PENNSYLVANIA 16335-2696
(814) 333-7455

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FRANCIS J. SCHULTZ
District Attorney

PAULA C. DIGIACOMO
First Assistant District Attorney

DOUGLAS W. FERGUSON
ROBERT J. FELTON
NOAH A. ERDE
PAUL A. BARKUS
CRAIG A. HOWE
Assistant District Attorneys

United States District Court
PO Box 1820
Erie, PA 16507

RE: James Harry Hodson, III
C.A. No.: 05-92 ERIE

Dear District Court:

In response to your court order of November 14, 2005, enclosed is a copy of the Petitioner's transcribed taped interview as requested. The Commonwealth is not in possession of the Petitioner's signed waiver of Miranda warnings nor is the Meadville City Police Department, the arresting agency. The Commonwealth has forwarded a copy of said transcript to the Petitioner this date.

Sincerely,


PAULA C. DIGIACOMO, ESQ.
First Assistant District Attorney

PCD/ml
Enclosures
Cc: James Harry Hodson, III

This is Officer Trenga interviewing James Hodson, Monday, June 21st, 1999 0111 hours. Mr. Hodson, um, can you tell me, like, where you were Friday night. Did you..... what's your relationship first of all with ah, Lynne Devore?

HODSON: We were ah, boyfriend/girlfriend.

TRENGA: Boyfriend/girlfriend? I'll need you to speak up just a little bit for this.

HODSON: Okay. Boyfriend/girlfriend

TRENGA: For how long?

HODSON: Ah, for a period of around eight months?

TRENGA: Eight months? Okay. Did you have a pretty good relationship?

HODSON: It was.... we had our differences because of the age. There was a certain age difference between us two.

TRENGA: You're twenty-four?

HODSON: I'm twenty-four. She's forty-three.

TRENGA: Okay. Um, what.... did it ever get abusive either way?

HODSON: Um, yeah, both ways, it did.

TRENGA: Both ways? Okay. Was their any kind of um, did sh.... did anyone ever require medical attention, you or her?

HODSON: At one point I was advised to go get medical attention, but I never went.

TRENGA: Um, do you..... did um, she have any contact with you this weekend as far as a physical Was their any kind of like fighting going on between you two???

HODSON: Yeah.

TRENGA: She scratched you on your stomach?

HODSON: Yeah, she also bruised me up in here

TRENGA: A bruise?

TRENGA: A bruise?

HODSON: Yeah. On your left shoulder?

TRENGA: ??? right there.

TRENGA: Can I see those scratches on your stomach again? The right side? About three finger marks.

What happened there?

HODSON: Don't recall.

TRENGA: No? Did um, when were you there? When you'd, you go there

HODSON: I showed up Friday morning around two o'clock

TRENGA: Two o'clock in the morning? Do you have a key?

HODSON: No.

TRENGA: How'd

HODSON: Well, I, I... it just so happened that I ah, went over to her house, I just got back from Tennessee, went upstairs, knocked on her door, heard a voice, seen her downstairs and that's how we met.

TRENGA: You were knocking on her door upstairs?

HODSON: Yeah at two o'clock in the morning that's when she showed up, just at the time I

TRENGA: You heard a voice?

HODSON: Yeah, I heard her voice.

TRENGA: Who was she talking to?

HODSON: She was talking to a guy named Bill.

TRENGA: What, what was she doing at that time?

HODSON: Ah, she had just got back from the ah, I guess you would call it, a funeral procession.

TRENGA: Okay. At two o'clock in the morning?

HODSON: It was a viewing and then they had went over to her I guess, her brother's friends fathers home.

TRENGA: Was she drinking at all that night?

HODSON: Yes, she was.

TRENGA: Did she seem intoxicated?

HODSON: Yeah.

TRENGA: Um, what happened? Did you have any um, conversation with her when he was around?

HODSON: When Bill was?

TRENGA: Yes.

HODSON: Ah, no. He had actually said that um, he had asked if she was alright there by herself and she said, yes, she was and then they come to the stairwell and he looked up just as I was knocking and I turned around and I seen them standing down there and he says, do you know who she, he is and she said, yeah, I'm gonna karate chop him. She said thank you for the ride and he took off.

TRENGA: Did you witness her, observe her doing anything with him?

HODSON: Yeah, she kissed him.

TRENGA: Like a peck or was it like a ???? kiss or

HODSON: (laughing)

TRENGA: She get into it?

HODSON: I, I really don't know what'd you want to call it.

TRENGA: Did it make you, did it make you upset?

HODSON: Yeah.

TRENGA: I guess that's what I'm getting at.

HODSON: Yeah.

TRENGA: Made you upset.

HODSON: She had done it before with some other gentleman. She'd cheat on me basically.

TRENGA: Really?

HODSON: Yeah.

TRENGA: Um, so then, then what? Did.... were you at the bottom of the stairs by then or she come upstairs?

HODSON: No. She came upstairs, she opened up the door, I guess things got out of hand then.

TRENGA: Physically?

HODSON: Yeah.

TRENGA: ??? help her

HODSON: ?????

TRENGA: Did you help her up the steps at all?

HODSON: No.

TRENGA: Physically?

HODSON: No.

TRENGA: Okay. Once you entered the her apartment, you said you like, wrestled with her?

HODSON: Yeah.

TRENGA: Was there.... what kind of wrestling?

HODSON: I, I wrestled her down to her bed and I asked her, I said, why would you do that to me. Why would you ever cheat on me. And I swore, I, you know, I swore (chuckles) I had a few curse words I had to say to her and I was just very upset.

TRENGA: How much, did you ever remember like, um, maybe hitting her?

HODSON: Just pulling her hair.

TRENGA: Pulling her hair?

HODSON: Yeah.

TRENGA: Did she hit you back at all?

HODSON: Yeah.

TRENGA: Where she hit you at?

HODSON: I don't recall. She..... I, I... when she hits me, I just let her hit me.

TRENGA: So you just pulled her hair?

HODSON: Yeah.

TRENGA: You remember like, maybe open hand or back handing her at all?

HODSON: No. Don't recall.

TRENGA: Okay. Where we at from there? You're on the bed?

HODSON: Yeah and we had our words and whatever. I don't know, some how we just ended up going to sleep. I had to work in the morning.

TRENGA: How late, how long from the time you just got in to the apartment till the time you went to bed?

HODSON: I musta argued

TRENGA: How long.

HODSON: with her for about an hour, hour and a half.

TRENGA: Did you guys have sex before you went to bed?

HODSON: Yeah.

TRENGA: You made up, you guys kinda made up then?

HODSON: Kinda. Yeah.

TRENGA: Was sh..... did it look like, was it like, consensual? Like, you guys both agreed on

having sex?

HODSON: Um, I would have to say yes, yeah, because otherwise it just wouldn't happen.

TRENGA: Did you did she take her clothes off or did you take them off, you help her take them off or what?

HODSON: Yeah, it's, it's usually the way it goes.

TRENGA: Was she laying on her back and you just would pull her pants down?

HODSON: Yeah.

TRENGA: At any point at that time did she tell you to stop?

HODSON: Um, as far as I recall, I, I really couldn't tell ya.

TRENGA: Were you drinking at all that night?

HODSON: No I wasn't.

TRENGA: Completely sober? No

HODSON: Yeah, I just got ~~back~~ *back from* Tennessee

TRENGA: drugs things like that.

TRENGA: Do you have drug problem at this time in your life?

HODSON: Well, I guess anybody can say that um, I have an alcohol problem which when you go to AA everybody there is an alcoholic even though they don't drink so

TRENGA: What about her? Do you know of any drug use from her or

HODSON: Yeah, she takes quite a bit of pills, she takes (sp) Zolof, um,

TRENGA: Prescription?

HODSON: ????? Yeah

TRENGA: Prescription?

HODSON: (sp) Ambien, ah, (sp) lorze ?? um, gosh, I can just rattle off a whole bunch, she's on

every medication.

TRENGA: So..... Okay, you guys had sex and you said she then, she seemed like she was okay with that?

HODSON: Yeah.

TRENGA: You seem kinda hesitant that's why I kept asking you asking you a couple times. Um,

HODSON: ????

TRENGA: Like, like, maybe she really didn't want it or didn't

HODSON: Well, sh.... I'm sure she didn't want to, but I guess she gave into me.

TRENGA: Okay.

HODSON: As far as that goes.

TRENGA: And then you guys

HODSON: Because I was, I was very upset with her.

TRENGA: Alright. Alright.

HODSON: But we did have sex.

TRENGA: And then you guys went to bed?

HODSON: Yeah, we fell asleep.

TRENGA: Okay. And you woke up, what would've been Friday morning then?

HODSON: Yeah.

TRENGA: About what time

HODSON: No, it would've been ah, yeah, actually it was Friday morning, I, I didn't wake up for work and I was supposed to be at work at like 8 o'clock

TRENGA: 8 o'clock that morning?

HODSON: Yeah.

TRENGA: What happened then?

HODSON: I, I totally sleep^y through it, she said um, are you gonna wake up and I said, no, I'm just gonna lay here with my cheat.

TRENGA: With your what?

HODSON: My cheat.

TRENGA: Oh.

HODSON: Cheater. (Laughing) And I, I don't recall saying ??????

TRENGA: You were still kinda ticked off?

HODSON: Yeah.

TRENGA: Um, so what time you think it was before you guys both woke up and ??

HODSON: Oh, we got up I say like around 11 o'clock and then we took a bath with each other and cuz she had to be at a funeral at 1 o'clock, no, actually, I do think it was 1 o'clock Friday mor..... I just really can't recall right now. I think the funeral was on 1 o'clock Sunday morning, or Saturday morning, the funeral was that she had to be in. Friday morning I..... I don't recall Friday at all.

TRENGA: About the bath, like, did she go in to start the bath water or?

HODSON: Yeah, she and then she comes out and asked if I would join her.

TRENGA: Okay. She asked if you would join her?

HODSON: Yeah.

TRENGA: Did she, did it mean sarcastically did she really want you ?????

HODSON: Oh, yeah.

TRENGA: Okay.

HODSON: It's, it's what we've done this whole relationship.

TRENGA: So you guys take your bath then you get out, you guys have breakfast?

HODSON: Um, gosh, I really can't recall. I've, I've been so upset this weekend. I really can't recall what we did after our bath. I just can't recall.

TRENGA: You recall eating at all that day?

HODSON: No. I, I normally don't myself.

TRENGA: No? ^{cal}

HODSON: No. I have a slight problem with eating.

TRENGA: You remember having sex with her anymore on Friday?

HODSON: Yeah, I do believe we had one, one more episode of having sex.

TRENGA: Was it on the bed?

HODSON: Yeah.

TRENGA: Where..... did you have to force her down then? Take her to the bed or did you ask her how to start?

HODSON: I, I don't really know how it starts with us.

TRENGA: Really?

HODSON: Really don't. Yeah.

TRENGA: But you guys both went to the bed?

HODSON: Yeah.

TRENGA: You wanted to go to the bed and she wanted to go to the bed?

HODSON: I don't know if she wanted to.

TRENGA: Why?

HODSON: Because I was upset.

TRENGA: You were upset still?

HODSON: Yeah. And I don't think she wanted to be with me at that certain point of time.

TRENGA: How

HODSON: I see basically what you're trying to get at here.

TRENGA: Well

HODSON: (laughing)

TRENGA: You were upset

HODSON: I could, yeah, I could tell what you're trying to get at, I mean, that's, that's not really hard for me

TRENGA: You're telling me you were upset, but you still wanted to have sex with her?

HODSON: Yeah.

TRENGA: You think you might have forced it on her?

HODSON: In a sense, yeah.

TRENGA: But did she ever tell you no, or stop.

HODSON: She goes, well, she actually would say I don't want you to and then I would go down on her.

TRENGA: Meaning you would go between her legs and have oral sex?

HODSON: Yeah.

TRENGA: Okay.

HODSON: And then it just evolved from there.

TRENGA: And then like, she almost.... she gave in?

HODSON: Basically. Yeah.

TRENGA: Okay. Um, where'd her brother come in to play? You said, you stated earlier that he was at her apartment?

HODSON: Yeah, he lives there.

TRENGA: Oh, he lives there?

HODSON: Yeah.

TRENGA: Is there any other apartments in that building?

HODSON: Yeah, her mother lives next door.

TRENGA: Next door? This is at her place on North Street?

HODSON: Yeah.

TRENGA: Okay.

HODSON: It's the apartments above H and R Block.

TRENGA: Okay. So it's..... Alright. Lynne and her brother in one apartment.

HODSON: And her mom and her boyfriend Mike, in the other apartment next door.

TRENGA: It's just the two apartments up there?

HODSON: Yeah.

TRENGA: Um, Was her brother around the whole time?

HODSON: Um, think..... actually no. On Friday they had two viewings that they had to go to. It was from 4-6 and from 7-9, they had two separate viewings that they went to

TRENGA: On Friday?

HODSON: On Friday, yeah. And Saturday was the funeral at 1 o'clock ??? She didn't want to go to the ah, viewings because she's pretty much exhausted from them.

TRENGA: When ah, would've been Friday night, remember what kind of events took place Friday night?

HODSON: No I can't recall.

TRENGA: Was her brother home Friday night?

HODSON: Yeah, he had showed up around 10 o'clock.

TRENGA: Where does he sleep at?

HODSON: He sleeps in... two rooms down from there.

TRENGA: Is there a separate bedroom for him?

HODSON: Yeah.

TRENGA: But it's in her same apartment?

HODSON: Yeah.

TRENGA: He showed up around ten?

HODSON: Yeah.

TRENGA: You guys were both up?

HODSON: All three of us were.

TRENGA: Were you guys in the same room with each other at one point?

HODSON: At one point in time, yeah. And then she came back and said, well, my brother's crying, he's very depressed in there you know, I feel bad for him, you know his friend just died, you know, that's terrible, you know, but he was really depressed *himself*

And then she says, you know
TRENGA: Ah, did you guys have sex at all while he was there?

HODSON: I'm not going to answer anymore of your sex questions (laughing)

TRENGA: No?

HODSON: No.

TRENGA: Okay. Let's go to Saturday.

HODSON: Okay.

TRENGA: Woke up Saturday, um, about what time did you wake up? She had a... what'd she have to go to, she have a appointment Saturday?

HODSON: Ah, she had a funeral to go to at 1 o'clock.

TRENGA: Um, did you guys eat, you never ate the whole weekend?

HODSON: I don't see what eating has to do with it. (Chuckles)

TRENGA: No it's just um, how long did you stay there that weekend or this weekend?

HODSON: I, I, stayed there up until this morning actually.

TRENGA: This morning. Did you guys get in any more arguments?

HODSON: Yeah, we argued the whole weekend. It was, it was just a terrible weekend. I, I wish it would've never happened. I wish I had never seen what I saw.

TRENGA: Her kissing him?

HODSON: Yeah.

TRENGA: What... how about... was there any medication involved that she had while you were there? What was the deal with that?

HODSON: Um, she'd taken quite a dosage of ah Am^{ben}?? I think they are. A - m - d - i - e - n, I think

TRENGA: A lot, she took a lot of them? Did you ever try and stop her?

HODSON: Yeah.

TRENGA: Really. Um did she take anything else?

HODSON: Ah, (sp) Lorizapelin I think she also took.

TRENGA: How'd you try and stop her from taking them?

HODSON: I tole her to spit them out.

TRENGA: Did she ever try and throw them up?

HODSON: She said she could've, she could've threw them , but she just didn't want to. She just felt like dying.

TRENGA: She wanted to die or

HODSON: That's what she said. I thinks that's the way she felt.

TRENGA: Did you ever talk about suicide yourself to her?

HODSON: Myself?

TRENGA: Yes.

HODSON: No.

TRENGA: No?

TRENGA: But you tried to stop her from taking?

HODSON: Yeah, and she spit them back up into her glass.

TRENGA: How, how violent do you think you came with her, like physical, physical wise?

HODSON: Physically?

TRENGA: Yeah, being upset?? what took place.

HODSON: I'd say um, I was, I was

TRENGA: ????????

HODSON: as far as um, a man being physical towards a women, I'd say it wasn't right. That's all I can really say about it. It wasn't right

TRENGA: Were you

HODSON: A male shouldn't, shouldn't be physical towards a women in any situation.

TRENGA: Oh, you were upset.

HODSON: Yeah.

TRENGA: What about, did you, did you think you might... if you got to the point where you thought you might killed her or were going to kill her?

HODSON: No.

TRENGA: Or cause seriously injury to her?

HODSON: Just as far as her taking the pills, yeah.

TRENGA: What do you mean by that? Like that you had caused to her. Any kind of seriously bodily harm?

HODSON: No.

TRENGA: Um, did you ever threaten her at all?

HODSON: As far as?

TRENGA: Killing her for one.

HODSON: No.

TRENGA: Never threatened to kill her? Anyway? Try and threaten her in anyway?

HODSON: Um, I guess you could say I was quite upset when I saw her and that guy kiss, yeah, and I just told her, you're lucky that I didn't bash his face in.

TRENGA: What happened after she took the pills?

HODSON: She spit them back up in

TRENGA: She did spit them back up?

HODSON: She spit most of them, the majority of them back up and we went to the bathroom and I asked her to puke them up. I said, would you please puke

TRENGA: She ever talk about death?

HODSON: She said, I can't.

TRENGA: Did she ever talk about dying?

HODSON: Can you stop this for a second.

TRENGA: Stopping the tape at 0128 hours.

(SIDE B)